

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, APRIL 16, 1996  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 11:03 a.m.  
The meeting was adjourned by Mayor Golding at 12:16 p.m. into  
Closed Session at 2:00 p.m. in the twelfth floor conference room  
to discuss Meet and Confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (lh)

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present

Minutes of the Council of the City of San Diego  
for the Regular Meeting of Tuesday, April 16, 1996

Page 2

- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

PUBLIC COMMENT:

NONE

COUNCIL COMMENT:

ITEM-CC-1:

Council Member Warden wanted to remind everybody that today's fundraiser for the City/County is the kick-off for the March of Dimes WalkAmerica event, which will be held at the County Administration Building from 12:00 to 2:00 p.m. From 12:45 to 1:10 she, along with Jack McGrory and Frank Belock, will be taking the plunge in the dump tank and everyone is invited down to take a shot at them. Council Member Warden also noted that on April 27th is the March of Dimes WalkAmerica event; and the City has challenged the County, the City Manager has challenged the 10th floor, and the 10th floor has challenged the Mayor's office.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A007-A021.)

ITEM-55:

SUBJECT: Two actions related to City Heights Urban Village  
Library/Park and Recreation Project. (District-3.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 4/2/96.  
(Council voted 7-0. District 5 and Mayor Golding not present):

Subitem-A: (O-96-135) ADOPTED AS ORDINANCE O-18290 (New  
Series)

Authorizing the execution of a Ground Lease with the San Diego Community Foundation relating to the City Heights Community Center.

Subitem-B: (O-96-136) ADOPTED AS ORDINANCE O-18291 (New Series)

Authorizing the execution of a Sublease and Maintenance Agreement with the San Diego Community Foundation relating to the City Heights Community Center.

NOTE: 6 votes required. Pursuant to Section 99 of the City Charter, a notice regarding the adoption of these ordinances was published in the Daily Transcript.

FILE LOCATION: Subitem-A,B: LEAS - San Diego Community Foundation LEASFY96-1

COUNCIL ACTION: (Tape location: A022-035.)

Hearing began at 11:06 a.m. and halted at 11:08 a.m.

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READINGS AND ADOPT THE ORDINANCES. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330:

SUBJECT: Matter of the modifications to the Torrey Pines Community Plan and Implementation Plan as suggested by the California Coastal Commission.  
(Torrey Pines Community Plan. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-997) ADOPTED AS RESOLUTION R-287205

Adoption of a Resolution approving the California Coastal Commission's suggested modifications to the Torrey Pines Community Plan Update.

SUPPORTING INFORMATION:

On January 10, 1995, the City Council approved the Torrey Pines Community Plan Update. Because most of Torrey Pines is within the Coastal Zone, California Coastal Commission certification is required before the plan becomes effective. On February 8, 1996, the Coastal Commission approved the Torrey Pines Community Plan Update with numerous suggested modifications. These modifications include supplemental land use policies that enhance the protection of coastal resources. In summary, the suggested modifications provide additional protection for wetlands and other sensitive resource areas, address the provision of adequate on site-parking, provide additional protection of visual resources, and ensure the protection of existing commercial recreation facilities. City Council adoption of these suggested modifications is necessary in order to obtain final certification by the California Coastal Commission.

FILE LOCATION: LAND - Torrey Pines Community Plan

COUNCIL ACTION: (Tape location: A022-035.)

Hearing began at 11:06 a.m. and halted at 11:08 a.m.

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331:

(At the meeting of 3/5/96, Item 331, this project was  
returned to the City Manager at his request.)

SUBJECT: Appeal of Julia H. Stradling and Dennis Tuffin, from  
the decision of the Planning Commission in approving  
Coastal Development Permit CDP-95-0580 (Sandage  
Residence).  
(CDP-95-0580. Peninsula Community Plan Area.  
District-2.)

CITY MANAGER'S RECOMMENDATION:

Deny the appeal and grant the permit, subject to the  
findings and conditions:

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Tuesday, April 16, 1996**

**Page 5**

(R-96-1286) DENIED APPEAL, GRANTED PERMIT ADOPTED AS  
RESOLUTION R-287206

Adoption of a Resolution granting or denying the appeal  
and granting or denying the permit, with appropriate  
findings to support Council action.

**OTHER RECOMMENDATIONS:**

The Development Services Department recommended approval of the  
permit; was opposition. The Peninsula Community Planning Group  
has been notified of this item and has not submitted a  
recommendation. Planning Commission voted 7-0 to approve.

Ayes: White, Quinn, Bernet, McElliott, Anderson, Neils,  
Skorepa

Nays: None

**SUPPORTING INFORMATION:**

The permit is being requested to add a 518-square-foot room  
addition (third floor loft), decks and remodel to an existing  
two-story single-family home, to total 3,941 square feet in floor  
area, located at 821 Sunset Cliffs Boulevard, within the  
Peninsula Community Plan area.

**LEGAL DESCRIPTION:**

The subject property is more particularly described as Lot 25,  
Block M, Azure Vista, Map-1981, in Zone R1-5000.

NOTE: On February 6, 1996, Council voted 8-1 to hear the appeal.

FILE LOCATION: PERM - CDP-95-0580

COUNCIL ACTION: (Tape location: A044-B187.)

Hearing began at 11:08 a.m. and halted at 12:05 p.m.

Council Member Stallings arrived at 11:53 a.m.

Testimony in favor by Matt Peterson, Jerry Simmons, and  
Larry Sandage.

Testimony in opposition by Dennis F. Tuffin, Jim Crakes,  
Susan Sharpe, Lynne Robbins, and Faye Hall.

Motion by Wear to deny the permit based on Council's  
determination that the project does not meet the necessary  
visual compatibility finding as required under the Coastal  
Act of 1976. Second by Vargas.

SUBSTITUTE MOTION BY MATHIS TO DENY THE APPEAL AND GRANT THE PERMIT, SUBJECT TO THE FINDINGS AND CONDITIONS AS PROPOSED IN THE CITY MANAGER'S REPORT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-nay, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-nay.

MOTION BY WEAR TO NOT CONSIDER THIS DEVELOPMENT PROJECT, ASSOCIATED WITH THIS COASTAL DEVELOPMENT PERMIT, TO BE A DEFINING NEIGHBORHOOD CHARACTER STANDARD OR PRECEDENT IN THE FUTURE. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332: HEARING HELD

SUBJECT: This is the first of two scheduled public hearings regarding the North University City FY 1996 Public Facilities Financing Plan and Facilities Benefit Assessment. Council will take action at the subsequent hearing which has been scheduled on May 14, 1996 at 10:00 a.m. Public testimony will also be taken at that meeting.  
(See City Manager Report No. P96-044. University Community Planning Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Accept testimony from members of the public and refer the matter to the second public hearing which has been scheduled for May 14, 1996 at 10:00 a.m.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 2/21/96, LU&H voted 5-0 to approve the City Manager's recommendation to accept the Facilities Financing Plan "Option B - 3 year all" and to adopt the resolutions.

FILE LOCATION: STRT-FB-1

COUNCIL ACTION: (Tape location: B194-332.)

Hearing began 12:05 p.m. and halted at 12:16 p.m.

Testimony in favor by Gene Konrad.

Testimony in opposition by Paul Robinson.

Mayor Golding closed the first hearing.

ITEM-333:

SUBJECT: Conceptual Approval for \$151 Million Refinancing  
Program and Authorization for Issuance of up to \$44.25  
Million 1996 Series A Refunding Industrial Development  
Bonds.  
(See City Manager Report CMR-96-75.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
4/2/96. (Council voted 7-0. District 5 and Mayor Golding  
not present):

(O-96-146) ADOPTED AS ORDINANCE O-18292 (New Series)

Authorizing the issuance and sale of Industrial  
Development Revenue Refunding Bonds in an aggregate  
principal amount not to exceed \$151,000,000 and  
authorizing one or more loan agreements with San Diego  
Gas & Electric Company and one or more indentures in  
connection with the issuance of such bonds and related  
actions and matters.

NOTE: 6 votes required pursuant to Section 99 of the City  
Charter.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A022-035.)

Hearing began at 11:06 a.m. and halted at 11:08 a.m.

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND  
ADOPT THE ORDINANCE. Second by Kehoe. Passed by the  
following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: Support for Tax-Exempt Financing for Data Tape.  
(Carmel Mountain Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Hold the required public hearing and adopt the following resolution:

(R-96-1171) ADOPTED AS RESOLUTION R-287207

Approving the issuance of not to exceed \$5,000,000  
aggregate principal amount of Industrial Development  
Revenue Bonds.

CITY MANAGER SUPPORTING INFORMATION:

The City Council is requested to hold a public hearing supporting issuance of tax-exempt private activity conduit revenue bonds by the California Statewide Communities Development Authority Joint Powers Agency (the "JPA") of up to \$5 million for Datatape Inc.'s expansion in San Diego. Datatape is a manufacturer of magnetic recording heads for data acquisition applications. Datatape will use bond proceeds to finance tenant improvements and capital equipment for a 35,000 square foot building in Carmel Mountain Ranch located at 12205 World Trade Drive. Datatape has recently signed an 8-year lease (with 5-year extension option) for this building. The JPA, which will be the Issuer, has previously issued bonds for various City-approved projects, most recently including financing for:

Delimex, Johanson Dielectrics; Carvin Corp., Howard Leight Industries; and the Salk Institute. It is endorsed by the League of California Cities and the County Supervisors' Association of California. The City has been a member since 1991. The JPA issues only investment grade bonds. As with previous JPA issues, the City's name will not appear on the bonds and there will be no further City involvement in the financing. Datatape will retain 66 jobs in San Diego and expects to create 50 additional jobs within two years of project completion. By authorizing this bond issue by the JPA, the Council will be providing a significant incentive for business retention and expansion: assisting Datatape in obtaining the most cost-effective financing for their San Diego manufacturing facilities.

FILE LOCATION: MEET



COUNCIL ACTION: (Tape location: A022-035.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335:

SUBJECT: Second Reading of the Ordinances Amending the City  
Heights Redevelopment Plan and Rezoning Approximately  
10.7 Acres in City Heights.  
(Mid-City Community Area. Districts-3 and 7.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 4/2/96.  
(Council voted 7-0. District 5 and Mayor Golding not present):

Subitem-A: (O-96-132) ADOPTED AS ORDINANCE O-18293 (New  
Series)

Amending Chapter X, Article 3, Division 15, of the San  
Diego Municipal Code by amending Section 103.1502,  
relating to the Boundaries of the Mid-City Communities  
Planned District.

Subitem-B: (O-96-138) ADOPTED AS ORDINANCE O-18294 (New  
Series)

Approving and adopting the First Amendment to the  
Redevelopment Plan for the City Heights Redevelopment  
Project.

FILE LOCATION: Subitem A,B: MEET

COUNCIL ACTION: (Tape location: A022-035.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READINGS AND  
ADOPT THE ORDINANCES. Second by Kehoe. Passed by the  
following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

ITEM-336:

SUBJECT: Second Reading of the Ordinance Approving the  
Redevelopment Plan for the San Ysidro Redevelopment  
Project.  
(San Ysidro Community Area. District-8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
4/2/96. (Council voted 7-0. District 5 and Mayor Golding  
not present):

(O-96-137) ADOPTED AS ORDINANCE O-18295 (New Series)

Approving and adopting the Redevelopment Plan for the  
San Ysidro Redevelopment Project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A022-035.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH READING AND ADOPT  
THE ORDINANCE. Second by Kehoe. Passed by the following  
vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea,  
Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea,  
Mayor Golding-yea.

ITEM-337:

SUBJECT: Proposed Amendment to the Procedure for Formation of a  
Project Area Committee to Effect Change in Little Italy  
Representation.  
(See Centre City Development Corporation's Memorandum  
dated 3/28/96. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1187) ADOPTED AS RESOLUTION R-287208

Amending the Procedure for Formation of a Project Area Committee for the Centre City Redevelopment Project to eliminate the Little Italy Residential Tenant category and replace it with a Little Italy Resident category which will be open to both residential tenants and residential owner occupants in the Sub Area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A022-035.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-338:

SUBJECT: Approving Tax Allocation Refunding Bonds for the Horton Plaza Redevelopment Project.  
(See Centre City Development Corporation's Memorandums dated 3/21/96 and 3/28/96. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1186) ADOPTED AS RESOLUTION R-287209

Approving the issuance of Tax Allocation Refunding Bonds, Series 1996 in one or more series as determined by the Redevelopment Agency of the City of San Diego, for refinancing a portion of the Horton Plaza Redevelopment Project in an amount not to exceed \$22,800,000.

NOTE: See the Redevelopment Agency Agenda of April 16, 1996 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A022-035.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe.

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Tuesday, April 16, 1996**

**Page 12**

Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

**NON-DOCKET ITEMS:**

NONE.

ITEM-CS-1: (R-96-1257) ADOPTED AS RESOLUTION R-287210

A Resolution adopted by the City Council in Closed Session  
on April 16, 1996:

Authorizing the City Manager to pay the sum of \$20,000.00 in  
the settlement of each and every claim against The City of  
San Diego, its agents and employees resulting from damage to  
plaintiff; authorizing the City Auditor and Comptroller to  
issue one check to plaintiff Jackie Robertson in the amount  
of \$20,000.00 made payable to Jackie Robertson and his  
attorney of record Robert C. Anderson, in full settlement of  
all claims.

Aud. Cert. 9601096

FILE LOCATION: MEET

**ADJOURNMENT:**

The meeting was adjourned by Mayor Golding at 12:16 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B333).